



Legislation Details (With Text)

**File #:** ORD 2022-011      **Name:** Charter Amendment Section 305 - Filling of Vacancies  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/22/2022      **In control:** City Commission  
**On agenda:** 8/25/2022      **Final action:** 8/25/2022

**Title:** AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF COCONUT CREEK, ARTICLE III, "CITY COMMISSION," BY AMENDING SECTION 305, "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES;" AND ARTICLE VII, "REGISTRATION AND ELECTIONS," BY REPEALING SECTION 713, "VACANCY IN CANDIDACY FOR OFFICE," TO PROVIDE FOR CLARIFICATION REGARDING THE PROCESS FOR FILLING VACANCIES; PROVIDING FOR THE FORM OF THE BALLOT QUESTION UPON APPROVAL BY THE MAJORITY OF ELECTORS VOTING IN THE MARCH 14, 2023, MUNICIPAL ELECTION. (SECOND READING)(PUBLIC HEARING)

**Sponsors:**

**Indexes:** Amendment, Charter, City Commission, Ordinance, Referendum Questions, Vacancy

**Code sections:** Charter Section 305 - Vacancies; Forfeiture of Office; Filling of Vacancies, Charter Section 713 - Vacancy in Candidacy for Office

**Attachments:** 1. ORDINANCE 2022-011-Amending Charter Sections 305 & 713-Vacancies

Date	Ver.	Action By	Action	Result
8/25/2022	1	City Commission		
7/14/2022	1	City Commission		

AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF COCONUT CREEK, ARTICLE III, "CITY COMMISSION," BY AMENDING SECTION 305, "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES;" AND ARTICLE VII, "REGISTRATION AND ELECTIONS," BY REPEALING SECTION 713, "VACANCY IN CANDIDACY FOR OFFICE," TO PROVIDE FOR CLARIFICATION REGARDING THE PROCESS FOR FILLING VACANCIES; PROVIDING FOR THE FORM OF THE BALLOT QUESTION UPON APPROVAL BY THE MAJORITY OF ELECTORS VOTING IN THE MARCH 14, 2023, MUNICIPAL ELECTION. (SECOND READING)(PUBLIC HEARING)

**BACKGROUND:**

**This item was approved on First Reading at the July 14, 2022, City Commission Meeting.**

Section 906, "Amendments to Charter," of the City of Coconut Creek Charter provides that the City Charter may be amended as provided by the Florida Statutes or by the City's processes established for the Charter Review Board. Section 166.031(6), Fla. Stat., states, "Each municipality shall, by ordinance or charter provision, provide procedures for filling a vacancy in office caused by death, resignation, or removal from office. Such ordinance or charter provision shall also provide procedures

for filling a vacancy in candidacy caused by death, withdrawal, or removal from the ballot of a qualified candidate following the end of the qualifying period which leaves fewer than two candidates for an office.

**DISCUSSION:**

This ordinance (hereinafter the "Referendum Ordinance") seeks to amend Sections 305 and 713 of the City of Coconut Creek Charter (hereinafter "City Charter") in order to clarify the process for filling vacancies and to provide for the ballot question contained therein to be placed on the March 14, 2023, Municipal Election ballot for approval by a majority of the electors of the City of Coconut Creek.

**RECOMMENDATION:**

Staff recommends approval of this ordinance.

**FISCAL IMPACT:** N/A